

**REMARKS/ARGUMENTS**

Upon entry of the amendment, claims 1-18 and 20 will have been canceled and claims 22-28 will have been submitted for consideration by the Examiner. Newly submitted claims are generally based on the cancelled dependent claims of claim 1.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration of the outstanding rejection of the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided, and for the indication of the allowability of claims 19 and 21.

Turning to the merits of the action, the Examiner has rejected claims 1-18 and 20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of OGAWA (U.S. Patent No. 6,710,894) in view of BEAK et al. (U.S. Patent No. 5,798,845).

As note above, Applicant has cancelled claims 1-18 and 20 without prejudice or disclaimer. Thus, Applicant respectfully submits that the only outstanding rejection has been rendered moot.

Applicant respectfully notes that the cancellation of these claims has been made merely to advance the prosecution of the present application and thus should not be taken as an acquiescence of the appropriateness of the rejection. Further, Applicant expressly reserves the right to submit claims of a corresponding scope in another

application. Thus, the cancellation of the claims in the present application is without prejudice or disclaimer.

Further, Applicant notes that newly submitted claims 22-28 are generally based on dependent claims 2-6 of previously independent claim 1, and thus submits that a further search is not required for consideration of newly submitted claims 22-28.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection and requests an indication of the allowability of all the claims pending in the present application, in due course.

Although the status of the application is after Final Rejection, Applicant submits that entry of the amendment is proper under 37 C.F.R. § 1.116. In particular, no new issues that might require further consideration or search are being presented.

Although several new claims are being submitted, more claims have been cancelled, thus simplifying the outstanding issues. The newly submitted claims are all dependent from clearly allowable base claims and are thus allowable at least for this reason. Further, it is assumed that the Examiner has considered the claim limitations as the substantive limitations of claims 22-28 were previously considered as claims 2-6.

Applicant further wishes to make of record a telephone interview conducted on November 3, 2005 in co-pending Application No. 10/767,719. During the above-noted interview, Applicant's undersigned representative discussed the merits of the above-noted application, which, as has been previously pointed out to the Examiner, and as the Examiner is undoubtedly aware, is one of 15 continuations of parent Application No. 09/461,402, now U.S. Patent No. 6,710,894. During the interview Applicants also noted that each of the above-noted continuations as well as the above-noted parent

application are being examined by the same Examiner. During the above-noted interview, the Examiner indicated that he is aware of each of the applications and the various references of record therein. Also during the above-noted interview, Applicant's undersigned representative asked the Examiner to ensure that the record is complete in each of these 15 applications by cross-citing each of the references cited in any of these applications into each of the other applications. The Examiner agreed to do so and Applicant agreed to facilitate such cross-citation by periodically updating the references cited in these various applications by the Examiner.

Accordingly, attached to the present Response, Applicant is providing a PTO-1449 Form in which various references cited in recently issued Office Actions in various ones of these 15 continuation applications are listed. The Examiner is respectfully requested to initial the attached PTO-1449 Form to confirm consideration of these documents. The Examiner is respectfully thanked for his cooperation in this matter which will enable the record in the present application to be complete and to accurately indicate that the Examiner has considered all of these references that were cited in individual ones of these applications with respect to the claims in each of the applications.

**SUMMARY AND CONCLUSION**


Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has canceled the rejected claims without prejudice or disclaimer, and has submitted new claims for consideration by the Examiner.

Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application in due course.

The amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Hidehiko OGAWA

  
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Bruce H. Bernstein  
Reg. No. 29,027

William Pieprz  
Reg. No. 33,630

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GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191